



Docket No.: 57810-025

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Ryosuke USUI, et al.

Serial No.: 09/985,743

Filed: November 06, 2001

For: SEMICONDUCTOR DEVICE HAVING ELEMENT ISOLATION TRENCH AND
METHOD OF FABRICATING THE SAME

Group Art Unit: 2815

Examiner: E. Lee

*#6/Election
Answered
3/27/03*

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
Washington, DC 20231

Sir:

In the Office Action dated February 24, 2003, the Examiner imposed a Restriction Requirement pursuant to 35 U.S.C. §121, requiring election of either:

Group I. Claims 1 through 7 directed to a semiconductor device; or

Group II. Claims 8 through 17 directed to a method.

In response, Applicants elect to prosecute device claims 1 through 7 (Group I). Favorable consideration of device claims 1 through 7 is solicited.

Further, Applicants solicit rejoinder of non-elected method claims 8 through 17 upon the determination of an allowable device claim, pursuant the provisions of MPEP§821.04.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including

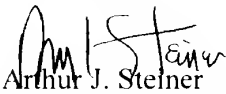
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extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account..

Respectfully submitted,

MCDERMOTT, WILL & EMERY


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